

# **EXHIBIT A**

## **Declaration of Ike Lawrence Epstein**

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16 *Ultimate Fighting Championship and UFC*

17 UNITED STATES DISTRICT COURT  
18 DISTRICT OF NEVADA  
19

20 Cung Le, Nathan Quarry, Jon Fitch, Brandon  
21 Vera, Luis Javier Vazquez, and Kyle  
Kingsbury on behalf of themselves and all  
others similarly situated,

22 Plaintiffs,

23 v.

24 Zuffa, LLC, d/b/a Ultimate Fighting  
25 Championship and UFC,

26 Defendant.  
27  
28

Case No.: 2:15-cv-01045-RFB-(PAL)

**DECLARATION OF IKE LAWRENCE  
EPSTEIN IN SUPPORT OF DEFENDANT  
ZUFFA, LLC'S OPPOSITION TO  
PLAINTIFFS' MOTION TO  
CHALLENGE ATTORNEY-CLIENT  
PRIVILEGE (ECF NO. 320)**

1 I, Ike Lawrence Epstein, declare as follows:

2 1. I am over 21 years old and have personal knowledge of the information in this  
3 declaration. I have personal knowledge of the facts stated in this declaration and if called to  
4 testify, I would and could competently testify to those facts.

5 2. I have been employed by Defendant Zuffa, LLC ("Zuffa") since 2007. I am  
6 currently Senior Executive Vice President and Chief Operating Officer at Zuffa and have served  
7 in that role since November 2012. I previously served as Zuffa's Executive Vice President and  
8 General Counsel from August 2007 until November 2012.

9 3. Michael Mersch is an attorney who previously served as Zuffa's Assistant General  
10 Counsel from 2007 until 2011. He served as Vice President and Assistant General Counsel from  
11 2011 to 2012. Mr. Mersch then served as Senior Vice President of Business and Legal Affairs  
12 and Associate General Counsel for Zuffa from 2012 to 2013. In these roles, Mr. Mersch reported  
13 to me as General Counsel from August 2007 to November 2012.

14 4. During my tenure as Zuffa's General Counsel and under my supervision,  
15 Mr. Mersch performed many legal duties as Assistant and Associate General Counsel, including  
16 drafting, revising, and advising on contractual language for use in agreements with athletes and  
17 other third parties. Zuffa executives and employees often asked Mr. Mersch for his legal advice  
18 and opinions regarding proposed contractual language, draft contracts, and during ongoing  
19 negotiations with athletes.

20 5. Tracy Long is currently Zuffa's Senior Director of Athlete Compliance and  
21 Regulation in Zuffa's Legal Department. In 2008, Ms. Long served as a paralegal in Zuffa's  
22 Business and Legal Department. From 2009 until 2012, Ms. Long served as Zuffa's Chief  
23 Paralegal. In addition to those roles, Ms. Long also served as my Executive Assistant as well as  
24 Executive Assistant to Mr. Mersch.

25 6. When Ms. Long served as Chief Paralegal in Zuffa's Legal Department, she  
26 worked closely with me under my direction as General Counsel. Ms. Long was a frequent initial  
27 point of contact for Zuffa executives and employees seeking legal advice regarding negotiations  
28

1 and athlete contracts and would work to find the appropriate Zuffa in-house attorney to assist  
2 Zuffa employees.

3 7. I reviewed the redacted and unredacted versions of the e-mails bearing Bates  
4 numbers ZFL-1014045, ZFL-1014047, ZFL-1014049, ZFL-1014078, ZFL-1014102, and ZFL-  
5 1014103. The redacted portions of the e-mails include communications in which Mr. Mersch  
6 provided his legal analysis in response to Mr. Fertitta's request for advice, Mr. Fertitta followed  
7 up on Mr. Mersch's response, and I provided my legal opinion on suggested changes to  
8 contractual terms.

9 8. I have reviewed the redacted and unredacted versions of the e-mails bearing Bates  
10 numbers ZFL-1845329, ZFL-1845332, ZFL-1845335, and ZFL-1845337 (which Plaintiffs refer  
11 to as the [REDACTED]). These e-mails are all part of a thread between Mr. Fertitta,  
12 then-Chief Operating Officer Kirk D. Hendrick, Vice President of Licensing and Merchandising  
13 Randy Klein, and me. The redacted portions of the e-mails contain Mr. Klein's request for advice  
14 and my response concerning issues that [REDACTED]  
15 [REDACTED]  
16 [REDACTED] No other portions of the e-mail are redacted.

17 9. On November 28, 2008, I forwarded a November 3, 2008 e-mail I received from a  
18 representative of the [REDACTED] company to Tracy Long (then known by her maiden name  
19 as Tracy Hyman), a paralegal in Zuffa's legal department. The forwarded November 3, 2008 e-  
20 mail was not altered in any way. Exhibit C to the Declaration of Stacey K. Grigsby in Support of  
21 Defendant Zuffa, LLC's Opposition to Plaintiffs' Motion to Challenge Attorney-Client Privilege  
22 ("Grigsby Declaration") is a true and correct copy of the e-mail I forwarded to Ms. Hyman.

23 10. In 2008, I was [REDACTED]  
24 [REDACTED]. During [REDACTED]  
25 [REDACTED]  
26 [REDACTED].  
27  
28



1 11. I provided legal advice in my role as Zuffa's then-General Counsel in the [REDACTED]

2 [REDACTED]  
3 [REDACTED]  
4  
5 I declare under penalty of perjury under the laws of the United States of America that the  
6 foregoing facts are true and correct. Executed this 3rd day of January 2017, in Las Vegas,  
7 Nevada.



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9 \_\_\_\_\_  
Ike Lawrence Epstein